

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

CHERIE C. WHITEHURST,

Plaintiff,

v.

Case No. 6:19CV00010

BEDFORD COUNTY SCHOOL BOARD, et al.

Defendants.

**DEFENDANTS' MOTION TO DISMISS SECOND AMENDED COMPLAINT**

Defendants Bedford County School Board ("School Board") and Dr. Douglas R. Schuch, by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, move for dismissal of the disparate treatment claim in Count I and the entirety of Count II of Plaintiff's Second Amended Complaint for failure to state a claim upon which relief can be granted. The Defendants rely on the accompanying memorandum in support of this motion.

WHEREFORE the Defendants Bedford County School Board and Dr. Douglas R. Schuch respectfully request that the Court enter an Order dismissing the Second Amended Complaint with prejudice and granting them such further relief as the Court may deem appropriate.

RESPECTFULLY SUBMITTED,

BEDFORD COUNTY SCHOOL BOARD  
AND DR. DOUGLAS R. SCHUCH

By Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of February, 2020, I have electronically filed the foregoing using the CM/ECF system, which will automatically send email notification of such filing to counsel of record as follows:

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